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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

Toby R. Thomas
Samuel D. Aversa
John D. Athans

Atty. Docket No.: 47097-00057USPR

Examiner: John Sipos

Group Art Unit 3721

Application No.: 10/647,819

Filed: August 25, 2003

For: Fill-Through-The-Top Package
And Method And Apparatus For
Making The Same

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted by facsimile to (571) 273-4468 at the United States Patent and Trademark Office on the date shown below.

Signature:

Carla Rivera
Carla Rivera

RESPONSE TO INTERVIEW SUMMARY DATED 08/11/06

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Interview Summary summarizing the telephonic message left by Examiner Sipos on August 10, 2006 and requesting Applicants to summarize the substance of the interview, Applicants' summary of the interview is presented below.

Applicants concur that Examiner Sipos informed Applicants' representative John Gatz that the Amendment of June 30, 2006 would not be entered. The Amendment of June 30, 2006 was submitted in response to a telephone call from Examiner Sipos on June 26, 2006 during which Examiner Sipos requested that Applicants amend the word "therebetween" of claim 11 to "there between" for consistency with the original patent. Claim 11 was amended by the Examiner to correct this inconsistency. Additionally, during the June 26, 2006 call, Examiner Sipos requested that Applicants submit a new Consent of Assignee document, which was submitted with the Amendment of June 30, 2006. Applicants also concur that the Examiner

informed Applicants that the claims would be rewritten with the proper status identifiers via an Examiner's Amendment.

Applicants note that the Amendment of June 30, 2006 was not submitted in response to the Notice of Non-Compliant Amendment of November 18, 2005. Pursuant to a telephone conversation between Applicants' representative Ela Wiszowaty and Sheila Green on November 30, 2005, the Legal Instruments Examiner and signatory of the Notice of Non-Compliant Amendment, the Notice of Non-Compliant Amendment was to be cancelled and the Amendment of November 14, 2005 was to be reentered. Accordingly, it appears that the Notice of Non-Compliant Amendment was, in fact, cleared, as shown in the Transaction History on the USPTO website (PAIR).

No fees are believed due. However, if any additional fees are required, the Commissioner is authorized to charge any necessary fees which may be required (except the issue fee) or credit any overpayment to Deposit Account No. 10-0447, Order No. 47097-00057USPR.

Date: August 21, 2006

Respectfully submitted,



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